

Stop Enabling Sex Traffickers Act of 2017

Title: To amend the Communications Act of 1934 to clarify that section 230 of that Act does not prohibit the enforcement against providers and users of interactive computer services of Federal and State criminal and civil law relating to sex trafficking.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as Stop Enabling Sex Traffickers Act of 2017

SEC. 2. FINDINGS.

Congress finds the following:

(1) Section 230 of the Communications Act of 1934 (47 U.S.C. 230) (as added by title V of the Telecommunications Act of 1996 (Public Law 104–104; 110 Stat. 133) (commonly known as the “Communications Decency Act of 1996”)) was never intended to provide legal protection to websites that facilitate traffickers in advertising the sale of unlawful sex acts with sex trafficking victims.

(2) Clarification of section 230 of the Communications Act of 1934 is warranted to ensure that that section does not provide such protection to such websites.

SEC. 3. ENSURING ABILITY TO ENFORCE FEDERAL AND STATE CRIMINAL AND CIVIL LAW RELATING TO SEX TRAFFICKING.

(a) In General.—Section 230 of the Communications Act of 1934 (47 U.S.C. 230) is amended—

(1) in subsection (b)—

(A) in paragraph (4), by striking “and” at the end;

(B) in paragraph (5), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(6) to ensure vigorous enforcement of Federal criminal and civil law relating to sex trafficking.”; and

(2) in subsection (e)—

(A) in paragraph (1)—

(i) by inserting “section 1591 (relating to sex trafficking) of that title,” after “title 18, United States Code,”;

(ii) by striking “impair the enforcement” and inserting the following: “impair—

“(A) the enforcement”; and

(iii) by striking “statute.” and inserting the following: “statute; or
“(B) any State criminal prosecution or civil enforcement action targeting conduct that violates a Federal criminal law prohibiting—

“(i) sex trafficking of children; or

“(ii) sex trafficking by force, threats of force, fraud, or coercion.”; and

(B) by adding at the end the following:

“(5) NO EFFECT ON CIVIL LAW RELATING TO SEX TRAFFICKING.—Nothing in this section shall be construed to impair the enforcement or limit the application of section 1595 of title 18, United States Code.”.

(b) Effective Date.—The amendments made by this section shall take effect on the date of enactment of this Act, and the amendment made by subsection (a)(2)(B) shall apply regardless of whether the conduct alleged occurred, or is alleged to have occurred, before, on, or after such date of enactment.

SEC. 4. ENSURING FEDERAL LIABILITY FOR PUBLISHING INFORMATION DESIGNED TO FACILITATE SEX TRAFFICKING OR OTHERWISE FACILITATING SEX TRAFFICKING.

Section 1591(e) of title 18, United States Code, is amended—

(1) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively;

(2) by inserting after paragraph (3) the following:

“(4) The term ‘participation in a venture’ includes knowing conduct by an individual or entity, by any means, that assists, supports, or facilitates the violation of subsection (a)(1).”.